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Fiftieth anniversary of the Universal Declaration of Human Rights

Letter dated 11 December 1998 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement issued on 10 December 1998 by the Presidency of the European Union on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under agenda item 46 (a).

(*Signed*) Ernst **Sucharipa**
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Annex

Statement issued at Vienna on 10 December 1998 by the Presidency of the European Union on the occasion of the fiftieth anniversary of the Universal Declaration of Human Rights

[Original: English and French]

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On the occasion of the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights, the European Union recalls the primary importance that it attaches to this Declaration. It constitutes the foundation for national, regional and global policies to advance and ensure human dignity worldwide.

The universality and indivisibility of human rights and the responsibility for their protection and promotion, together with the promotion of pluralistic democracy and effective guarantees for the rule of law, constitute essential objectives for the European Union as a union of shared values and serve as a fundamental basis for our action.

The human being is at the centre of our policies. Ensuring the human dignity of every individual remains our common goal. The full realization of the rights of women and children deserve in particular to be highlighted as neglect in this respect remains widespread.

The protection and promotion of human rights and fundamental freedoms, for which Governments have responsibility, contributes to prosperity, justice, and peace in the world. However, these goals cannot be realized without the work of international organizations, civil society and individuals.

The Union pledges its continuing support for the further promotion and protection of human rights, in fulfilment of the Treaty on European Union, the European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Council Declarations of Luxembourg 1991 and 1997, and adopts the following Declaration:

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I. Since the adoption, fifty years ago, of the Universal Declaration of Human Rights, the European Union has witnessed progress in the field of human rights and the spread of democracy throughout the world. At the same time, however, the Union remains aware of threats to progress and the need to strengthen its determination and efforts for the worldwide realization of all human rights for all.

II. The adoption of the Universal Declaration initiated an irreversible process of awareness-building in civil society on human rights and fundamental freedoms throughout the world. The Declaration constitutes, in particular, the foundation for the subsequent development of an impressive body of important international legal instruments, including the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. The 1993 Vienna World Conference on Human Rights reconfirmed the universality and indivisibility of all human rights. The Union calls upon all countries that have not yet done so to become a party to all major human rights treaties.

The implementation of the Universal Declaration and of the other international human rights instruments is of paramount importance for the universal character of the rights laid down therein to become a reality. There can be no valid exemption from the principles

enshrined in those instruments through special provisions based on national, cultural or religious considerations. The fiftieth anniversary of the Universal Declaration is a time to take stock, and a time to redouble efforts to promote the implementation of human rights in all countries in the world. The Union seizes this opportunity to reaffirm its commitment to realize all human rights for all.

Mindful of the Declaration of the European Council of 28/29 June 1991, adopted in Luxembourg, the Union recognizes and welcomes the achievements since the adoption of the Universal Declaration. The Union feels compelled, however, to deplore the persistence of violations of human rights throughout the world. The Union reaffirms that it is the legitimate and permanent responsibility of the international community and of all States acting individually or collectively to promote and safeguard human rights throughout the world. The Union, for its part, will continue to take up violations wherever they occur. At the same time, the Union welcomes the fact that an increasing number of States work together with the European Union on the basis of partnership to promote human rights and to ensure their universality.

During the past fifty years, throughout the world, thousands of women and men have fought for the protection of those values, often paying a heavy toll. The Union pays tribute to their courageous actions that shall inspire the European Union in its determination to promote the rights enshrined in the Declaration.

The Union welcomes, in this context, the adoption of a declaration on human rights defenders by the General Assembly of the United Nations. Individuals and non-governmental organizations throughout the world are making indispensable and courageous contributions to safeguarding and promoting human rights. They need continuing strong support.

III. The European Union, which is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, shares the values in which the Declaration is rooted. It is conscious of the need to promote human rights in its own countries. Both internally and externally, respect for human rights as proclaimed in the Universal Declaration is one of the essential components of the activities of the Union. In their activities, the institutions of the Union respect human rights as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as resulting from the constitutional traditions common to the member States, under the control of the Court of Justice of the European Communities. Equally, member States are bound by the European Convention and their actions are submitted to the supervision of the European Court of Human Rights. With the entry into force of the Amsterdam Treaty, respect for human rights and fundamental freedoms will be a condition for accession to the European Union, and a serious and persistent breach of these rights may lead to the suspension of rights of a member State.

Moreover, the Amsterdam Treaty will further strengthen the commitment to safeguard and promote human rights and fundamental freedoms, especially by measures against discrimination in a wide range of fields including by strengthening the possibilities of ensuring equal opportunities for men and women. Furthermore, aware of the European Social Charter and the Community Charter on Basic Social Rights of Workers, it defines aims in the field of basic social rights. The European Union in its cooperation in the field of justice and security will also be guided by its respect for human rights.

Respect for human rights and fundamental freedoms is also one of the objectives of the Union's Common Foreign and Security Policy as well as of its development cooperation. The Union pursues this goal both in its bilateral relations with third countries and in the

framework of the United Nations and other multilateral forums, in particular the Organization for Security and Cooperation in Europe, and the Council of Europe.

In pursuit of its policy of promoting human rights in all parts of the world, the Union regularly raises human rights questions in its dialogue with third countries, as an important and legitimate part of this dialogue, and in démarches as well as declarations.

The European Community has included in the agreements it concludes a clause which makes respect for human rights, in particular as contained in the Universal Declaration of Human Rights, an essential element for its agreement to be binding. The Union thus assumes its responsibility for the promotion and protection of human rights as a legitimate concern of the international community, while reaffirming that this protection and promotion remain the primary responsibility of each and every Government.

The Union expresses its preoccupation about recent incidents of racism and xenophobia, both within the Union and throughout the world, and will work actively towards achieving meaningful results at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. A range of practical measures complement the Union's efforts in these fields; the Union wishes to highlight, in this context, notably the activities of the Vienna Monitoring Centre on Racism and Xenophobia.

The Union has decided this year to reinforce its efforts for the universal abolition of the death penalty as a strongly held policy agreed by the European Union. Where the death penalty still exists, the Union calls for its use to be restricted, and demands that it be carried out only in accordance with international safeguards. Where relevant, the Union is also pressing for moratoria to be introduced.

The Union accords high importance to supporting efforts for the promotion of democracy, respect for human rights, the rule of law, and good governance. The Union therefore provides support for a wide range of projects and programmes in those fields throughout the world.

The Union and its member States are committed to cooperating with international human rights mechanisms at the global and regional levels. The Union actively supports the action of the United Nations High Commissioner for Human Rights and her activities, especially at the field level. The Union encourages the efforts by the United Nations Secretary-General towards better integrating human rights into the broad range of United Nations activities.

The Union particularly welcomes the adoption of the Rome Statute of the International Criminal Court to try the most serious crimes and violations of humanitarian law of concern to the international community and calls for an early ratification of this Statute.

IV. These policies must be continued and, where necessary, strengthened and improved. In this regard, it is important that the Union reinforce its capacity to achieve its objectives on the protection and promotion of human rights and fundamental freedoms. In this context, the Union is determined to ensure respect for human rights in all its actions. In particular, the Union will consider concrete measures such as:

1. Enhancing the capacity to jointly assess the human rights situation in the world by closer coordination and otherwise ensure that all pertinent means for action are available within the framework of the Union, including through the possible publication of an annual European Union human rights report;

2. Further developing cooperation in the field of human rights, such as education and training activities, in coordination with other relevant organizations, and ensuring the

continuation of the Human Rights Masters Programme organized by fifteen European universities;

3. Reflecting on the usefulness of convening a periodic human rights discussion forum with the participation of European Union institutions, as well as representatives of academic institutions and non-governmental organizations;

4. Strengthening the capacities to respond to international operational requirements in the field of human rights and democratization, such as through the possible establishment of a common roster of European human rights and democracy experts, for human rights field operations and electoral assistance and monitoring;

5. Fostering the development and consolidation of democracy and the rule of law and respect for human rights and fundamental freedoms in third countries, in particular through working towards the earliest possible adoption of the draft regulations, currently under consideration in the European Union framework, on the implementation of cooperation operations;

6. Ensuring all means to achieve the coherent realization of these goals, including through the consideration of strengthening relevant European Union structures.